

State of Alaska

Board of Marine Pilots



July 7, 2022 - Teleconference
Call to order; 10:00 am

Public Meeting Packet

Board of Marine Pilots

Name	Appointed	Reappointed	Expires
Cronk, Les (Leslie) (Ketchikan) Agent	3/1/2018	3/1/2022	3/1/2026
Harris, Richard (Juneau) Public	12/18/2017	3/1/2020	3/1/2024
Hasenbank, Lucas (Anchorage) Agent/Manager	3/1/2020		3/1/2024
Tougas, Joe (Seward) Public	3/1/2022		3/1/2026
Cunningham, James (Homer) Pilot	5/25/2022		3/1/2025
Sinclair, Edward (Juneau) Pilot	3/1/2019		3/1/2023
Thayer, Curtis (Anchorage) Commissioner/DCCED/Designee — Chair	2/22/2010	4/11/2019	

BOARD OF MARINE PILOTS
7/7/2022

Agenda



**State of Alaska
Department of Commerce, Community & Economic Development
Division of Corporations, Business, and Professional Licensing
Board of Marine Pilots**

333 Willoughby Ave., Juneau

Zoom Meeting Call-In # 669-900-6833
253-215-8782
346-248-7799

Meeting ID: 824 8416 9278
Meeting Passcode: 463725

TENTATIVE MEETING AGENDA
July 7, 2022

1. **10:00 am Roll Call/Call to order**
2. **10:05 am Review Agenda**
3. **10:10 am SEAPA By-law Revisions**
4. **10:25 am Annual Report – Board Discussion**
5. **10:45 am Candidate Interviews - Executive Session**
6. **Board action - Deputy Pilot Candidates**
7. **Adjourn**

DRAFT

**BOARD OF MARINE PILOTS
7/7/2022**

**Southeast Alaska Pilots' Association
By-Law Amendment(s)**

SOUTHEAST ALASKA PILOTS' ASSOCIATION BYLAWS

ARTICLE I. IDENTIFICATION

Section 1. Name.

The name of the Association is the SOUTHEAST ALASKA PILOTS' ASSOCIATION (Association).

Section 2. Office.

The Association's principal office is in Ketchikan, Alaska, with a mailing address of 1621 Tongass Avenue, Suite 300 Ketchikan, Alaska 99901. The Association may have other offices as designated by its members or Board of Directors.

Section 3. Agent for Process.

The agent for service of process upon the Association is Southeast Alaska Pilots' Association, 1621 Tongass Avenue, Suite 300, Ketchikan, Alaska 99901.

Section 4. Purpose.

The purposes of the Association include considering and dealing with, by all lawful means 1) problems involved in promoting and advancing the profession of marine pilotage; 2) advancing safety within the marine transportation industry and the general welfare of professional marine pilots within the Southeastern Alaska Region; and, 3) securing cooperative action in advancing the purposes of the Association.

Section 5. Area of Operations.

The Southeastern Alaska Region covers the compulsory pilotage waters of Southeast Alaska commencing at the southern border of Canada, then west to and north on 141 degrees west longitude, and extending from Dixon Entrance to Cape Spencer including Yakutat as established by the Alaska Board of Marine Pilots (BMP).

Section 6. Dispatch Scheduling.

The Association will provide year round, 24-hour per day dispatch of pilots within the Southeastern Alaska Region to the extent reasonably possible given the size of the Association's membership as authorized by the Alaska Marine Pilotage Act AS 08.62 (Act).

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Section 7. Fiscal Year.

The Association’s fiscal year begins on January 1 and ends the same year on December 31.

Section 8. Recognition of State Law.

The Association will comply with the standards for recognition established by law without waiving any legal challenges to those provisions or any other terms of the Act or regulations adopted under the Act.

Section 9. Powers.

The Association will have the power to 1) collect and disseminate statistics and other information; 2) conduct investigations; 3) engage in various funding and fund raising activities; 4) conduct promotional activities, including advertising and publicity, in or by any suitable manner or media; 5) hold property it deems necessary; 6) provide for the pooling of income and expenses of its members; 7) provide for a rotation and dispatching system of assignments for pilotage services performed by each individual member as an independent contractor.

ARTICLE II. MEMBERSHIP

Section 1. Purpose.

Membership in the Association is designed to provide for 1) the dispatch and training of pilots; 2) management of the Association’s affairs; 3) compliance with all applicable laws; 4) the collection and distribution of funds earned through piloting services; 5) associating together as independent contractor marine pilots for the common purpose of having a pilot dispatch service; and 6) the promotion of pilotage in the best interests of the State of Alaska.

Section 2. Service.

The Association promotes the highest quality marine pilotage service in the Southeastern Alaska Region. It is the policy of the Association that each pilot, acting as an independent contractor, will maintain a commitment to excellence in the pilotage profession and through this commitment, prevent the loss of lives and property and protect the marine environment.

Section 3. Non-Discrimination.

The Association will treat both its members and applicants for membership in a uniform, nondiscriminatory, and otherwise lawful manner. The Association is open to membership by all persons licensed by the State of Alaska to pilot

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vessels in the Southeastern Alaska Pilotage Region, except such persons may not be a member of, or dispatched by, another pilot organization in the State of Alaska.

Section 4. Membership.

Membership in the Association is comprised of the following categories.

(a) Pilot Member (PM).

The Pilot Member (PM) membership category is open to any person who holds a current, unrestricted Marine Pilot license issued by the State of Alaska under the Act for the Southeastern Alaska Region. PMs who subsequently do not meet the requirements specified in this subsection automatically revert to a membership status appropriate with their State of Alaska and/or federal license. All PMs must meet all the Association's and State of Alaska's training requirements before becoming eligible for dispatch. PMs must commit to being dispatched for 90 days between May 16 and September 15 and must meet license requirements for dispatch in the PM category, and may be dispatched in excess of 90 days each year that they are PMs. A PM will not be excluded from membership due to illness or injury. PMs may be dispatched between September 16 and May 15, and will have priority to dispatch between May 1-15 and September 16-30, additional dispatch will be rotated as equitably as possible. Written solicitation of PM availability, non-availability, or additional dispatch will be made by August 1 each year. PMs may become a General Pilot Member at any time without Board of Directors' approval upon 30 days written notice to the Association. PMs have ONE VOTE on Association business.

(b) General Pilot Member (GPM).

The General Pilot Member (GPM) membership category consists of pilots who hold a Marine or Deputy Marine License issued by the State of Alaska under the Act for the Southeastern Alaska Region. The GPM membership category is for licensed pilots who have chosen not to become PMs and previous PMs who choose to work for shorter periods. A GPM may apply for other membership categories provided the GPM holds a current State of Alaska unrestricted Marine Pilot license and the GPM meets the State of Alaska's and the Association's training requirements before the GPM applies. The Board of Directors will select the GPM applicant(s) for dispatch who best meets the Association's dispatch requirements. GPMs will be dispatched as fairly and equitably as their license, availability, and the Association's dispatch requirements allow. GPMs have NO VOTE on Association business.

(c) Select Pilot Member (SPM).

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The Select Pilot Member (SPM) membership category consists of pilots who hold a Marine Pilot License issued by the State of Alaska under the Act for the Southeastern Alaska Region. This membership category is for licensed pilots who have chosen to make themselves available for less than 90 days during a select period of the summer season defined by the Board of Directors. SPMs must meet all Association and State of Alaska training requirements before becoming eligible for dispatch. PMs desiring to transition to the SPM membership category must declare their intent for the upcoming summer season in writing not more than 30 days after the Board of Directors solicits members for inclusion in this category. The solicitation will be made no later than January 15 for the upcoming summer season and will define the period in which this membership category is available. SPMs may become a GPM at any time without Board of Directors' approval upon 30 days written notice to the Association. SPMs are considered on roster for the period mutually agreed to by the SPM and the Board of Directors. SPMs will be compensated and will share in the Association expenses for each day on roster. Short term disability benefits will not exceed the number of days on roster. SPMs are governed by the Association's Bylaws and Operating Rules. When SPMs are not specifically identified, these Bylaws and Operating Rules pertaining to GPMs apply. Additional seasons of this pilot category are allowed if approved by a two-thirds affirmative vote of the membership. SPMs have NO VOTE on Association business. This membership category expires October 1, 2022.

Section 5. Training and Continuing Education.

In order to maintain the highest quality of pilotage services, all pilots dispatched by the Association are required to satisfy the Association's and the State of Alaska's training requirements before becoming eligible for dispatch. Training requirements are established in the Association's BMP-approved Training Program. It is each pilot's responsibility to provide documentation to satisfy training and continuing education requirements.

Section 6. Availability for Dispatch.

The Association will dispatch all licensed members from a list of names maintained on a dispatch roster, in accordance with the commitments made by the pilot to the Association. To be on the dispatch roster, a pilot must 1) abide by the Association's Bylaws and Operating Rules; 2) cannot have consumed alcohol or a controlled substance any time between 12 hours before going on duty and the conclusion of duty; and 3) meet all other requirements under the Act and federal law that pertain to pilotage in the Southeastern Alaska Region.

Section 7. Assent to Bylaws and Operating Rules.

All PMs, GPMs, SPMs, Pilot Trainees, and Apprentice Pilots agree to adhere to, and be bound by, the Association's Bylaws and Operating Rules as they may be amended before being dispatched by the Association.

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Section 8. Temporary Absence from Duty.

The Association's President may approve the temporary absence from duty of a pilot in accordance with the Association's Operating Rules.

Section 9. Independent Contractors.

All marine pilots must be members of the Association, independent contractors, and have a State of Alaska business license to be eligible for dispatch by the Association.

Section 10. Drug and Alcohol Testing.

All pilots dispatched by the Association must participate in a random drug and alcohol testing program. All applicants for membership must provide a "pre-dispatch" drug test conducted within 60 days that they first apply for membership.

Section 11. License Insurance.

All pilots dispatched by the Association must obtain license insurance and provide proof of that insurance to the Association.

Section 12. Suspension and Termination of Membership.

A suspended member cannot vote, participate in Association business, be dispatched, or share in the expenses, revenues, or other Association benefits. A member who becomes ineligible for membership is suspended on the date that the member becomes ineligible. If the member becomes eligible for membership again within 12 months and a day of their suspension or termination, that member will return to the member's previous membership status without regard to the number of members set by the membership. If the former member cannot cure the member's ineligibility for membership within 12 months and a day and thereby cannot become fully eligible for membership, that pilot's membership is automatically terminated and all rights to the benefits of membership are terminated on the 366th day after the day of membership termination or suspension. A pilot who was terminated or suspended may apply for membership any time after that pilot again becomes fully qualified to do so.

Section 13. Resignation or Retirement of Members.

Any member of the Association who desires to resign or retire must give 30 days written notice to the Board of Directors before the resignation or retirement becomes effective. A member who has resigned or retired may apply for membership once the member again becomes fully qualified to do so.

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Section 14: Association Management.

In order to provide for the management of the Association’s affairs, the Association may contract with a management corporation. The Association’s management corporation is Sea Pilots, Inc. Any pilot dispatched by the Association must be a Director of Sea Pilots, Inc.

ARTICLE III. MEETINGS OF THE MEMBERSHIP

Section 1. Semi-Annual Meetings, Attendance, and Location.

A semi-annual meeting of the Association will be held in May each year at a time, date, and place designated by the President, and in September each year at a time, date, and place designated by the President. Written notification of membership meetings must be provided to members at least fourteen days before the meeting. The tentative agenda for purposes of establishing proxy voting rights at the semi-annual membership meetings will be noticed to the membership not less than 72 hours before the published meeting date and time. Failure to hold the semi-annual meetings at the designated time will not work a forfeiture or dissolution of the Association. PMs, GPMs, and SPMs may attend semi-annual meetings.

Section 2. Special Meetings.

Special meetings of the Association may be called by the President, the Board of Directors, or by any five members requesting a special meeting in writing. Special meetings may be held without advance notice provided there is a quorum. PMs, GPMs, and SPMs may attend special meetings.

Section 3. Voting at Meetings.

(a) Voting Rights.

At membership meetings, only PMs have one vote. GPMs and SPMs have no voting rights at membership meetings.

(b) Quorum.

A majority of PMs represented in person or by proxy, constitutes a quorum at membership meetings. PMs present at a duly organized meeting may continue to do business until adjournment, notwithstanding the withdrawal of enough members that leaves less than a quorum.

(c) Proxies.

A PM may vote either in person or by proxy. Proxies may only be given to a PM. Any one member present at each meeting may hold no more than two proxies. The

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President cannot hold any proxies. Proxies may be authorized only on the Association's proxy form. Proxy voting is limited to the authorization identified on the Association's proxy form. A proxy is valid for one meeting only, and the power to vote a proxy may be revoked by the member giving the proxy at any time before actual voting. The proxy must be received by the President or the person presiding at the meeting at or before the meeting convenes; however, a member present at a meeting who is called out by assignment or by other business before a vote will be entitled to leave a proxy with another PM.

(d) Voting Procedure.

Voting procedures will conform to Roberts Rules of Order as revised, provided they are not inconsistent with these Bylaws. Proposed Bylaw changes, Operating Rule changes, recommended changes to Alaska marine pilot laws, and major decisions affecting the welfare and business of the Association must be noticed on the tentative agenda to be voted on at a meeting or voted via electronic ballot.

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Section 4. Ballots.

Ballots, when required under these Bylaws, will be conducted as follows:

(a) The ballot for members and officers of the Board of Directors will be secret. Ballots for issues must be signed (digitally) by members.

(b) The ballot will be sent to the member's electronic address as it appears in the Association's membership roster.

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(c) The ballot must be received electronically, not more than 10 days following the date of its notice of availability. All ballots, postal or otherwise, will be noticed electronically on the day of availability. Ballots returned after that ten-day period will not be considered.

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(d) The ballot will be counted by at least three PMs to validate the result. The validation of the count will be retained in the Association's file for 90 days. If the result of the ballot is challenged by a PM, the Board of Directors will decide to either disapprove the challenge, postpone the decision that was the subject of the ballot until the next membership meeting, or reissue the ballot. Any unsigned issue ballots will not be considered.

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ARTICLE IV. BOARD OF DIRECTORS

Section 1. Number and Qualification.

The Board of Directors will consist of seven members each of whom must be a PM.

Section 2. Election.

An annual membership referendum of PMs will be conducted by ballot each year between July 15 and August 15.

Section 3. Nominating and Balloting.

There will be no nominations for elections to the Board of Directors. Each PM will be entitled to vote for seven members, and the seven members receiving the highest number of votes in the election will be elected to the Board of Directors. In case of a tie vote for any unfilled positions on the Board of Directors, another ballot, limited to the members tied in the previous ballot, will be immediately submitted to voting members for another vote to be counted within 10 days.

Section 4. Term of Office.

The terms of office of Board of Directors members is one year and the terms commence immediately after the September membership meeting.

Section 5. Vacancies.

Any vacancy occurring on the Board of Directors will be filled by the affirmative vote of voting members on a ballot listing all eligible members for the vacancy. The member receiving the highest number of votes will be elected to complete the remaining term of the member's predecessor in office.

Section 6. Place of Meetings.

All Board of Directors meetings will be held at the Association's principal office, or other such place that a majority of the Board of Directors designates. The Board of Directors may convene and conduct any Board of Directors' meetings telephonically.

Section 7. Semi-annual Meetings.

The Board of Directors will meet immediately after the semi-annual

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membership meeting, at the place where the membership meeting was held, for the purpose of organization and consideration of any other business that may properly be brought before the Association or the Board of Directors.

Section 8. Special Meetings.

Special meetings of the Board of Directors may be called by the President or by any four members of the Board of Directors. Special meetings may be held without advance notice, provided a quorum is present.

Section 9. Quorum.

At all Board of Directors meetings, a total majority of four directors constitutes a quorum to transact business. The act of the majority of the Directors present at a meeting in which a quorum is present will be the act of the Board of Directors. Proxy voting is not permitted.

Section 10. Removal.

The entire Board of Directors, or any individual Directors, may be removed from office without assigning any cause, by a two-thirds affirmative vote of voting members at any regular or special membership meeting. Such removal of one or more of the Directors will be deemed to create a vacancy or vacancies in the Board of Directors.

Section 11. Compensation.

Members of the Board of Directors serve without compensation.

Section 12. Limitation on Authority.

Authority to make major decisions affecting the Association's welfare and business is reserved to all voting members. A majority of voting members may annul, amend, or supersede any action made by the Board of Directors. The Board of Directors will submit to the membership, by ballot, any issue of major importance, policy, or expenditure in excess of \$7,500, or that in the exercise of good judgment may be considered a major policy decision affecting the Association's welfare or business. A majority of voting members will decide the issue.

Section 13. Duties.

The duties of the Board of Directors include:

- (a) Calling special membership meetings under Article III, Section 2 of these Bylaws;

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- (b) Deciding whether to retain a certified public accountant to audit books and accounts;
- (c) Obtaining legal counsel for advice;
- (d) Developing an annual budget for the Association for approval by the voting members at the Annual Spring Membership Meeting;
- (e) Making adjustments to the annual budget as necessary to sustain the Association's business between the semi-annual meeting dates;
- (f) Monitoring the Association's business and affairs to ensure they are being carried out according to the Association's Bylaws and Operating Rules;
- (g) Addressing controversies arising under the Association's Bylaws or Operating Rules and follow due process procedures outlined in these Bylaws;
- (h) Determining annually the work available for GPMs based on the President's recommendations;
- (i) Providing clear guidance and direction to the President on policies concerning the Association's welfare;
- (j) Deciding whether to contract with a management corporation for the purpose of maintaining an office, employees and providing other business services as directed by the Board of Directors or to enter an agreement with such management corporation. The decision to enter into a contract with a management corporation must be approved by a two-thirds affirmative vote of voting members. All administrative employees of the management corporation must be bonded;
- (k) Establishing and amending Operating Rules for the Association and submitting all Operating Rule amendments to the membership for review and approval by a majority of voting members.

Section 14. Conflict of Interest.

A member of the Board of Directors who has a material financial interest in any entity, or who serves on the Board of Directors of an entity that enters into a contract or other transaction with the Association must disclose the material facts as to the transaction and the director's interest in the entity before voting on the contract or other transaction. Unless a majority of the Board of Directors objects, the member of the Board of Directors making the disclosure does not have to

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refrain from voting on the contract or other transaction.

ARTICLE V. OFFICERS

Section 1. Officers.

The Association's officers are President, Vice President, and Secretary. No person may hold more than one officer position.

Section 2. Election.

The voting members will elect officers from among the Board of Directors, by referendum of the voting members conducted by ballot each year between August 15 and September 15. The president will distribute a ballot to voting members listing the names of the seven members of the Board of Directors who are eligible to serve as an officer with instructions to vote for one of those members for President, one of those members for Vice President, and one of those members for Secretary. The officer ballot shall be open for ~~ten~~ days. In case of a tie vote for any position, another ballot listing only the members tied in the previous ballot will be immediately submitted to voting members for another vote to be counted within 10 days.

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Section 3. Term of Office.

The term of office of an officer is one year, and commences as soon after the September membership meeting as officers are elected and qualified and continues until the officer's successor is elected and qualified. The President cannot serve more than two consecutive terms within any six year period.

Section 4. Removal.

Any officer may be removed from office by a two-thirds vote of all voting members at any regular or special meeting.

Section 5. Vacancies.

Whenever any vacancies occurs in any office, the vacancy will be filled by affirmative vote of voting members, and the officer elected will hold office until a successor is chosen and qualified.

Section 6. Compensation.

Officers serve without compensation.

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Section 7. Duties of the President.

The President will preside at all Association and Board of Directors meetings, discharge all the duties of a presiding officer, and perform such other duties as prescribed by the Board of Directors or these Bylaws. The President will sign all notes, contracts, or other legal documents necessary to conduct the Association's business. The President will work with the Board of Directors in formulating major policy changes that will require a vote of the voting members. The President is responsible for all Association pilot matters including the dispatch of pilots. The President may delegate duties to another member. The President may represent the Association as its spokesperson with the BMP, ship owners, government officials, or other persons regarding marine, navigational, and pilot matters. The President may attend, as the Association's official delegate, American Pilots Association conventions or meetings, or designate an alternate. The President will set the time for all regular or special meetings of the Association's membership and the Board of Directors. The President will keep the Board of Directors appropriately informed of matters of significance affecting the Association.

Section 8. Duties of the Vice President.

The Vice President will attend all membership and Board of Directors meetings, be responsible for keeping, in a book provided for that purpose, an accurate record of the proceedings of such meetings, and when required, perform a like duty for all standing committees appointed by the Board of Directors. The Vice President will distribute all notices of the Association, and perform such other duties as these Bylaws may require or the Board of Directors may prescribe. The Vice President will monitor all the Association's accounting procedures, bring any discrepancies to the attention of the Board of Directors and make such recommendations as the Vice President deems desirable. The Vice President will assist in the preparation of Association correspondence for the President's signature or sign correspondence when authorized by the President. The Vice President will carry out the duties of the President in the absence of the President.

Section 9. Duties of the Secretary.

The Secretary assists the Vice President in the performance of the Vice President's duties. The Secretary will carry out the duties of Vice President in the absence of the Vice President when the Vice President acts as President in the absence of the President.

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ARTICLE VI. TRAINING AND CONTINUING EDUCATION

Section 1. Training Program.

The Association will establish and create a Training Program and submit it to the BMP for approval subject to the limitations in Article VI.

Section 2. Training Committee.

- a. The President will appoint PMs to the Training Committee.
- b. The President will appoint a Training Committee Chair from among the Training Committee's members.
- c. The Training Committee Chair is responsible for the administration of the Association's Training Program.
- d. The Training Committee Chair may delegate the Chair's duties and tasks to members of the Training Committee.
- e. The Training Committee will meet periodically to review and monitor the progress of all Trainees and provide oversight and direction to the Training Committee Chair.
- f. The Training Committee will prepare and submit all reports, notifications, and evaluations required of the Association by the BMP.
- g. Amendments to the Training Program will be submitted to the voting members for review and approval by a majority of the voting members. The Training Committee may make minor or clarifying amendments to the Training Program as provided in Volume II of the Training Program. Any amendments must pass by a two-thirds majority vote of the Training Committee and will take effect upon posting notice of the amendments in the Association's office. The Training Chair will submit all amendments to the voting members for review and approval at the next meeting of the membership. The Association will then submit the amended Training Program to the BMP for final approval.

Section 3. Categories.

The Association has three categories of Pilot Trainees: Marine Pilot Trainee, Deputy Marine Pilot Trainee, and Apprentice Deputy Marine Pilot Trainee. The voting members will set the total number of positions in the Pilot Trainee (PT) category, which must pass with a two-thirds affirmative majority. The Training

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Positions opened by the Association will be available to the most qualified candidates and will not stipulate the category of Trainee. It is the Association's policy to follow a uniform, fair, open, and nondiscriminatory process of selecting new Trainees. Determination of Association Training Positions, and subsequent Trainee application, evaluation, and selection will be in accordance with the applicable requirements of the membership approved Association Training Program. The Trainee categories and minimum qualifications are described below:

(1) Marine Pilot Trainee (MT).

The MT category consists of those individuals who 1) hold a current State of Alaska marine pilot license issued under the Act in an Alaska pilotage region of Alaska, other than the Southeastern Alaska Region; 2) have successfully completed the requirements of Volume I of the Association's Training Program; and 3) have been offered and accepted a Training Position. After a MT has completed the State of Alaska's requirements and the requirements of Volume II of the Association's Training Program and received an unrestricted Marine Pilot License issued by the State of Alaska under the Act for the Southeastern Alaska Region, the MT will automatically become a PM. MTs have NO VOTE on Association business.

(2) Deputy Marine Pilot Trainee (DT).

The DT category consists of those individuals who: 1) hold a current U.S. Coast Guard (USCG) License and meet the experience requirements which qualifies for issuance of a State of Alaska license under AS 08.62.093 (a) and (b)(1)(5), but who may not have the required First Class Pilotage Endorsements for a State of Alaska license in the Southeastern Alaska Region; 2) have successfully completed the requirements of Volume I of the Association's Training Program; and 3) have been offered and accepted a Training Position. After a DT has completed the State of Alaska's requirements and the requirements of Volume II of the Association's Training Program and received a Deputy Marine Pilot License issued by the State of Alaska under the Act for the Southeastern Alaska Region, the DT will automatically become a GPM in the Association. After a DT has received an unrestricted Marine Pilot license issued by the State of Alaska under the Act for the Southeastern Alaska Region, the DT will automatically become a PM. DTs have NO VOTE on Association business.

(3) Deputy Marine Pilot Apprentice Trainee (AT).

The Association has established a Deputy Marine Pilot Apprenticeship Program (Apprentice Program). The AT category consists of those individuals who 1) hold a minimum of at least a current USCG License of Master Not Greater Than 1600 Gross Tons; 2) are High School graduates; 3) meet the requirements of AS 08.62.093(a); 4) do not have the license and experience required under AS

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08.62.093 (b)(1)-(5) to meet State of Alaska license requirements as a Deputy Marine Pilot; 5) may not have the required First Class Pilotage Endorsements for a State of Alaska license in the Southeastern Alaska Region; 6) have successfully completed the requirements of Volume I of the Association's Training Program; and 7) have been offered and accepted a Training Position. ATs will automatically become DTs if they achieve the necessary requirements under AS 08.62.093(b)(1)-(5) to enter the DT category. AT's must also advise the Association how the AT will complete four years of training as an AT, including required in-Region training requirements without any income distributions from the Association. After an AT has completed the State of Alaska's requirements and the requirements of Volume II of the Association's Training Program and received a Deputy Marine Pilot License issued by the State of Alaska under the Act for the Southeastern Alaska Region, the AT will automatically become a GPM. After an AT has received an unrestricted Marine Pilot license issued by the State of Alaska under the Act for the Southeastern Alaska Region, the AT will automatically become a PM. ATs have NO VOTE on Association business.

Section 4. Trainee Due Process.

All due process, grievance, misconduct, discipline, violation, sanction, and dismissal procedures (Due Process Procedures) related to Trainees are contained in the Association's Training Program and delegated to, and developed by, the Training Committee. Decisions by the Training Committee to dismiss a Trainee must be ratified by a majority of voting members based upon a recommendation of dismissal by the Training Committee and the Association's Board of Directors before a Trainee is dismissed by the Training Committee. After a vote by the voting members that ratifies a Trainee's dismissal, any Due Process Procedures will be implemented and adopted by the Training Committee in the Training Program. Any part of these Bylaws referring or related to dismissal, grievances, arbitration, or due process, and specifically Article X of these Bylaws, does not apply to Trainees in the Training Program.

ARTICLE VII. INCOME AND EXPENSE POOLING AND DISTRIBUTION

Section 1. Purpose.

The purpose of Article VII is to provide for the equitable pooling of income and expenses of the membership and the equitable distribution of the net income to the individual members.

Section 2. Compensation.

Pilots dispatched by the Association will share earnings on a unit-day basis from May 16 through September 15 (Summer Schedule) and September 16 through May 15 for the pilots working the Winter Schedule. All pilots dispatched by the

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Association share in the earnings only for those days they are on the dispatch roster. Compensation of pilots dispatched by the Association is based upon the limitations (including partial suspension) of the license held by the pilot, according to the following compensation schedule:

License Category		Percent of Share
(a)	Marine Pilot	100
(b)	110,000 ton	90
(c)	95,000 ton	80
(d)	50,000 ton or less	70

Section 3. Expenses.

All PM's will share annual expenses on an equal share basis from June 1 through August 31. All SPMs will share annual expenses on an equal share basis, for each day on roster, from June 1 through August 31. All GPM's will share annual expenses on an equal share basis, prorated by days dispatched, during the period from June 1 through August 31.

Section 4. Redistribution Money.

Redistribution money will be distributed equally among all PMs.

Section 5. Expense Pooling.

Association operating and miscellaneous expenses will be pooled on a January 1 to December 31 cycle basis. The Board of Directors will budget the cycle expenses on or before January 1 of each year. Over and under budget adjustments for each cycle will be reflected in the budget projection for the ensuing year. Total expenses for the cycle will be pooled from June 1 through August 31 prorated by days dispatched on the dispatch roster during this period.

Section 6. Income Determination.

Transportation and subsistence expenses will be reimbursed to the individual pilot who provided the service that incurred the expenses. All remaining gross income for pilotage services, and all other miscellaneous income earned and billed during each calendar month will be pooled, and a daily rate of income determined. Daily rates for member pilots will then be computed at the prevailing percentages provided for in Article VII, Section 2 and Section 4 of these Bylaws. The daily rate of income will be computed by adding the total number of duty days for each member for the calendar month and dividing the resulting gross income for the month, exclusive of the transportation fees, by this total of duty days. Each member's account will be credited every month with the product resulting from multiplying the daily rate of income for their

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particular pilot category by their duty days during the calendar month.

Section 7. Special Expenses.

The Board of Directors, at its discretion, may reimburse any member for non-recurring expenses that would result in inequitable charges.

Section 8. Individual Expenses.

The Association will pay American Pilots Association dues, I.O.M.M. & P, Pilots' Division dues, Long Term Disability Plan premiums, Long Term Care Plan premiums, and other dues, premiums, and expenses from the individual member's accounts as directed by that individual.

Section 9. Income Distribution.

The Association will maintain a bookkeeping and accounting system that enables the Association to prepare and retain accurate and detailed financial records of the Association. During the period from September 16 through May 15, pay distributions will be made monthly. Draws will neither be allowed to reduce the Association's operating bank account below Five Thousand Dollars (\$5,000.00) at any time, nor may they exceed five percent (5%) of the balance due to any pilot's account. An exception to this requirement may be made during a period of Association debt from uncontrollable events in which case the membership must authorize a debt limitation not to be exceeded by the Board of Directors. Such authorization must pass by a two-thirds majority vote of voting members. The President will equalize all draws as much as possible, and will adjust the mid-monthly draw when necessary to bring the individual pilot account balance into close agreement. Checks for pilot compensation draws will be signed by an officer of the Association or by an administrative employee of the Management Corporation. The Association will distribute income in the name of a member, corporation, or business, as designated by the member.

Section 10. Reimbursable Expenses.

Members will be entitled to reimbursement for expenses incurred on Association business, which have prior approval of the Board of Directors. Travel and per diem expenses will be reimbursed at the same rate as published in the Federal Register. Any additional expenses must be supported with receipts. However, the Board of Directors may disallow any unreasonable or unsupported expenditures.

Section 11. Dissolution of Association.

If Association dissolves, the voting members will decide by majority vote the manner in which the Association will distribute its assets.

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ARTICLE VIII. OPERATING RULES

The Board of Directors will establish Operating Rules for the Association. Amendments to the Operating Rules must pass by a majority vote of the Board of Directors and will take effect upon posting notice of the amendments in the Association's office. The Board of Directors will submit all amendments to the Operating Rules to the membership for review and approval at the next meeting of the membership according to Article IV, Section 13(k). The Association will then submit the amended Operating Rules to the BMP for approval.

ARTICLE IX. DISABILITY AND BENEFITS

Section 1. Short Term Disability.

A. PMs on Summer Roster:

(a) During the period May 16 through September 15 of each calendar year, any pilot then on the active duty list who becomes unfit for duty due to illness or injury, for a period in excess of three consecutive days, and whose unfitness for duty is duly certified by a medical doctor whose qualifications are found to be acceptable by the Board of Directors, may apply to the Board of Directors to be removed from the active duty list, and to receive an income distribution during the pilot's period of disability in accordance with subsection 1.A.(c) and subsection 1.B.(e) of this Section for a period not in excess of 90 days for PMs, and for a period not in excess of 90 days (or for a period in excess of the remaining negotiated work period, whichever period is the lesser) for GPMs including Deputy Pilot members.

(b) Should a Summer Roster Pilot become disabled before the summer dispatch period, and that injury extends beyond May 15, that pilot may receive income distribution authorized under subsection 1.A.(c) of this Section beginning on May 16 but an income distribution cannot exceed 90 days from the date of injury.

(c) This income distribution is in lieu of the full pay authorized under Section 1 of the Operating Rules. Summer Roster Pilot short term disability benefits are not cumulative, are not convertible into any exchange upon termination of membership, and may not extend beyond September 15 of any calendar year or extend beyond the termination date of the disabled pilot's membership irrespective of the date of the onset of the disability. This off-duty disability income distribution is subject to the terms, conditions, and limitations contained in Article IX and these Bylaws.

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B. Winter Roster Pilots:

(a) PMs who are injured between May 15 and September 15, and who worked the previous winter work period or have applied in writing for the upcoming winter work period, are eligible for winter roster short term disability should the pilot's injuries carry beyond September 15 (up to September 15, the Summer Roster Pilot rules apply). The total number of days of short term disability collected from a combination of summer and winter dispatch periods will not exceed 90 days. From September 16 until the expiration of the 90 days from date of injury, or until a physician certifies the pilot fit for duty, whichever is less, the PM will receive a share from the winter roster income pool in accordance with subsection 1.B.(c) and subsection 1.B.(e) of this Section.

(b) Winter Roster Pilots who are injured between September 16 and May 15 will receive a share from the winter roster income pool in accordance with subsection 1.B.(c) of this Section for a maximum of 90 days or until a physician certifies the pilot fit for duty, whichever is less.

(c) Should the Winter Roster Pilot's injuries carry beyond May 15, the pilot may be eligible for summer short term disability as prescribed in this Section of these Bylaws. The total number of days of short term disability collected from a combination of summer and winter programs will not exceed 90 days.

(d) The Winter Roster Pilot benefits conferred are not cumulative, are not convertible into any exchange upon termination of membership, and may not extend beyond the termination date of the disabled pilot's membership irrespective of the date of the onset of the disability.

(e) During all periods, income distribution to injured pilots will be at the rate of fifty percent (50%) of the net earnings distribution that the pilot would have otherwise received for the dispatch period in which they are unable to work.

(f) The Board of Directors will be entitled at any time, before or during a pilot's disability period, to have the pilot that is on disability status examined or re-examined by a medical doctor of the Board of Director's choice and, upon the doctor's certification of fitness for duty, to return the pilot to active duty status.

(g) A pilot may be compensated only once during a three-year period for any recurring illness.

(h) In case of injury and the injured pilot at a later date is reimbursed by court order or negotiated settlement for earnings lost due to the injury, the injured pilot will reimburse the Association for a proportionate share of any money previously paid to the injured pilot under the terms of this Section. A proportionate share is defined as fifty percent (50%) of any lost earnings settlement not to exceed the

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total amount paid the injured pilot under the terms of this Section.

(i) Notwithstanding any other provision of these Bylaws to the contrary, the determination of whether to pay a disability advance, whether a member should be determined to be disabled, the term of any payment made as a disability advance, and any other application of payment made under Article IX will be made solely by the Board of Directors and will be made at its sole discretion, and no pilot is entitled to any payment from the Association for any claim of illness or disability.

Section 2. Long Term Disability.

(a) All PMs who meet the eligibility requirements of the Long Term Disability Plan (LTD Plan) will participate in the LTD Plan. Each participant will contribute equal shares of the total monthly premium as described in the LTD Plan in accordance with Article VII, Section 8.

(b) This Section applies to all PMs, according to the eligibility requirements of the LTD Plan.

Section 3. Long Term Care.

(a) All PMs who meet the eligibility requirements of the Long Term Care Plan (LTC Plan) will participate in the LTC Plan. Each participant will contribute equal shares of the total monthly premium as described in the LTC Plan in accordance with Article VII, Section 8.

(b) This Section applies to all PMs, according to the eligibility requirements of the LTC.

ARTICLE X. MISCONDUCT AND GRIEVANCE PROCEDURES

Section 1. Misconduct.

The Association will not adjudicate charges of misconduct as defined in the Act made against a member. Complaints against a member must be in writing, signed by the complainant, in sufficient detail and substance to allege that a person 1) is incompetent in the performance of pilotage duties; 2) is chemically impaired; 3) illegally possesses, uses, or sells narcotic or hallucinogenic drugs; 4) makes a false statement to obtain a license; 5) violates a provision of the Act or a regulation adopted under the Act; 6) has had the person's USCG pilot license conditioned, suspended, or revoked; or 7) charges, collects, or receives an amount for pilotage services that is different from the rate adopted under the Act or the rate agreed to under the Act by the Association. Such charges will be forwarded to the BMP with a copy to the member charged with misconduct. Due process in these matters must be provided by the BMP and not the Association.

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Section 2. Violations of Bylaws or Operating Rules.

Charges of violations of the Association's Bylaws or Operating Rules will be processed and resolved under this Section. The Board of Directors may impose any sanction it deems appropriate, including, but not limited to 1) prescribing a course of remedial action which is related to the violation; 2) sanctioning the member by providing a verbal reprimand or a written letter of censure; 3) imposing a specific period of suspension; 4) requiring the member to reimburse the Association for any financial loss; 5) dismissing the charge of violation; or, 6) any combination of the above.

(a) Hearing Panel.

The Board of Directors will hear charges of Bylaw or Operating Rule violations brought against a member.

(b) Notice.

The member charged with a violation of these Bylaws or Operating Rules will be provided written notice by the President as soon as practicable after charges have been filed. Thirty days' notice of the time and place of the hearing will be provided to the member charged. The member charged will be entitled to representation at the meeting. The member may waive a hearing by the Board of Directors on the charge if the waiver is in writing from the member.

(c) Sanctions.

The Board of Directors may impose any sanction as described in Article X, Section 2. The member charged with a violation may stipulate in writing to any sanctions by the Board of Directors.

(d) Appeals and Arbitration.

Appeals from the decisions of the Board of Directors will be settled by binding and final arbitration. The written appeal will be submitted to the Board of Directors within 15 days after the date of the Board of Director's decision. The Board of Directors and the member making the appeal will work in good faith to resolve their differences over the Board of Director's decision made under Article X, Section 2. The process of arbitration will begin by the Association and the member making the appeal mutually agreeing to an arbitrator. If they cannot agree on an arbitrator, then they will each select an individual within seven days of the date that the parties declare a failure to resolve the Board of Director's decision under Article X, Section 2. These two individuals will then agree to the selection of a mutually agreeable third person within seven days to act as arbitrator. This arbitrator is authorized to investigate the decision of the Board of Directors, contact parties with relevant information, conduct a hearing, take testimony under oath and review evidence, and make a ruling of whether the Board of Directors' decision under Article X, Section 2 is appropriate, or if it

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should be modified and if so, how it should be modified. The arbitrator's ruling will be made within 30 days of receiving the appeal. The arbitrator may not award compensatory remedies, punitive damages, or damages of any kind. The costs of the arbitration will be split equally among the parties. The decision made following arbitration will be binding and conclusive on all parties involved and judgment upon such decision may be enforced in any court of competent jurisdiction.

Section 3. Grievances.

Any member with a grievance against the Association must file it in writing and serve the Board of Directors of the Association of notice of the grievance within ten days. Due process will be provided to the aggrieved member by having the member address the Board of Directors or the Association at large with the grievance at the earliest possible time set by the Board of Directors. The member is entitled to a hearing before the Board of Directors on the grievance. If the Board of Directors or the member cannot resolve the grievance, the Association or the member filing the grievance may submit the grievance to arbitration as described in Article X, Section 2.

Section 4. Continuing Education.

All continuing education requirements are contained in the Association's Training Program. Any grievance by a member related to the membership's continuing education requirements set forth in the Training Program are subject to, and dealt with according to, the grievance procedures set forth in Article X of the Association's Bylaws and not the Due Process Procedures in the Training Program.

ARTICLE XI. AMENDMENTS

The Board of Directors may make minor amendments to these Bylaws subject to formal approval of a two-thirds vote of all voting members at the next membership meeting. The power to make any amendments other than temporary minor revisions to these Bylaws is reserved to the Association's voting members by an affirmative vote of not less than two-thirds of the voting members.

ARTICLE XII. DEFINITIONS

- a) "Day Count": Days on the Summer Season Dispatch Schedule a member is assigned to a specific pilotage assignment or authorized credit as provided under Article II, Section 6.
- b) "Dispatch Schedule": A listing of members by membership category indicating specific dispatch assignments, dispatch standby and off-dispatch / off-pay status.

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- c) "Duty": As used in 12 AAC 56.940 and 12 AAC 56.960.
- d) "Duty Day": Any day that a member is on the Dispatch Schedule either on assignment or in a standby status.
- e) "Pilot Member": An individual that holds a current unrestricted Marine Pilot license issued by the State of Alaska under the Act for the Southeastern Alaska Region as defined in Article II, Section 4(a).
- f) "Non-Duty Day": Any day that is not a duty day is a non-duty day, which is a day off-dispatch / off-pay and will be indicated on the Dispatch Schedule.
- g) "Redistribution Money": The income resulting from the product of the duty days for all Deputy licensed pilots and the difference between a full share and the daily rates that are computed at the prevailing percentages for Deputy licensed pilots provided for in Article VII, Section 2.
- h) "Shoulder Periods": Part of the "Winter Season" consisting of the days between May 01 and May 15 and between the days of September 16 and September 30 inclusive.
- i) "Summer Season": That period between May 16 and September 15 inclusive.
- j) "Summer Season Pilot": A member properly authorized on the Dispatch Schedule for the Summer Season consistent with Article II, Section 6.
- k) "Winter Season": That period between September 16 and May 15 inclusive.
- l) "Winter Season Pilot": A member properly authorized on the Dispatch Schedule for the Winter Season consistent with Article II, Section 6.

NOTICE OF APPROVAL OF AMENDED BYLAWS

These Bylaws of the Southeast Alaska Pilots' Association were duly approved as amended by the Association's voting members on May 1, 2022 and submitted to the BMP for approval in accordance with the Act. These Bylaws of the Southeast Alaska Pilots' Association were accepted and duly approved by the BMP on _____.

Deleted: September 23, 2020

Deleted: January 20, 2021

 Mark Lundamo
 Southeast Alaska Pilots' Association
 Its: President

 Renee Hoffard
 State of Alaska
 Its: Marine Pilot Coordinator

Deleted: John Herring

Deleted: →

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**BOARD OF MARINE PILOTS
7/7/2022**

**Board Discussion - Annual Report
Goals & Objectives Fiscal Year 2023**

Department of Commerce, Community
and Economic Development

Division of Corporations, Business
and Professional Licensing

Board of Marine Pilots

Annual Report

Fiscal Year 2022



Department of Commerce, Community and Economic Development
Division of Corporations, Business and Professional Licensing
P.O. Box 110806
Juneau, Alaska 99811-0806
Email: License@Alaska.Gov

Board of Marine Pilots
FY 2022 Annual Report

Table of Contents

Identification of the Board	Page X
Identification of the Staff	Page X
Narrative Statement	Page X
Budget Recommendations	Page X
Proposed Legislative Recommendations	Page X
Regulatory Recommendations	Page X
Goals and Objectives	Page X
Sunset Audit Recommendations	Page X

Board of Marine Pilots
FY 2022 Annual Report

Identification of the Board

Board Member	Duty Station	Date Appointed	Term Expires
Curtis Thayer, Chair Statutory per AS 08.62.010	Anchorage	Apr 11, 2019	Commissioner's appointment
Captain Edward Sinclair Licensed Marine Pilot	Juneau	Mar 1, 2019	Mar 1, 2023
Les Cronk Licensed Vessel Agent	Ketchikan	Mar 1, 2018	Mar 1, 2026
Lucas Hasenbank Licensed Vessel Agent/Manager	Anchorage	Mar 1, 2020	Mar 1, 2024
Richard Harris Public Member	Juneau	Dec 18, 2014	Mar 1, 2024
Joseph Tougas Public Member	Seward	Mar 1, 2022	Mar 1, 2026

Board of Marine Pilots
FY 2022 Annual Report

Identification of Staff

Renee Hoffard - Marine Pilot Coordinator
Department of Commerce, Community & Economic Development
Division of Corporations, Business and Professional Licensing
P.O. Box 110806
Juneau, Alaska 99811-0806
(907) 465-2550

Michelle Hearn - Investigator III
Department of Commerce, Community & Economic Development
Division of Corporations, Business and Professional Licensing
P.O. Box 110806
Juneau, Alaska 99811-0806
(907) 465-2550

Jun Maiquis - Regulations Specialist II
Department of Commerce, Community & Economic Development
Division of Corporations, Business and Professional Licensing
P.O. Box 110806
Juneau, Alaska 99811-0806
(907) 465-2550

-
Department of Commerce, Community & Economic Development
Division of Corporations, Business and Professional Licensing
P.O. Box 110806
Juneau, Alaska 99811-0806
(907) 465-2550

-
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P.O. Box 110806
Juneau, Alaska 99811-0806
(907) 465-2550

Board of Marine Pilots
FY 2022 Annual Report

Narrative Statement

The Board of Marine Pilots met four times during fiscal year 2022:

- November 24, 2021 via teleconference
- February 1, 2022 via teleconference
- March 8, 2022 in Juneau
- May 4, 2022 via teleconference

Over the course of the year, the Board continued its work to establish, audit and enforce the standard as set in Alaska Statute 08.62 to:

- Ensure that persons entering the practice meet rigorous standards of competency, and maintain such standards during their practice;
- Assist the public in the knowledge of who is licensed;
- Approve the standards by which pilot organizations are operated and trainees are selected;
- Approve or disapprove rates for pilotage services;
- Ensure that drug and alcohol testing is compliant;
- Ensure that sufficient pilots are available to provide service;
- Vessels subject to pilotage have a licensed pilot while transiting compulsory waters; and
- Educate the public about the statutes and regulations governing marine pilotage in Alaska.

Throughout the year, the Board maintained its review of applications for pleasure craft of foreign registry seeking exemption from pilotage. For FY 2022, the board approved 15 applications for exemption from pilotage requirements from foreign pleasure craft (as of May 13, 2022). Foreign pleasure craft exemptions generated \$73,836 in FY 2021 (as of May 13, 2022). As of May 13, 2022, there are 6 exemption applications pending.

Over the course of the fiscal year the board approved licenses for 3 Deputy Marine Pilots. Core and Local Knowledge exams were administered to 8 total candidates.

At the time of this report, a Marine Pilot seat on the board is vacant. The board will work with Boards and Commissions to fill the seat as quickly as possible with a qualified pilot.

Investigations - In FY 2022, no new investigations were opened. There were 2 investigations closed. 3 cases remain open (as of March 2022). The division assigned Investigator III Michelle Hearn to the Board in March 2022.

Public Information - The Board website makes it possible to provide online access to meeting and exam schedules, agendas, Board minutes, meeting materials, and notices for proposed regulation. Web-based distribution helps the Board reduce costs and ensure accessibility for current and historical information and for ease of public access. The public may sign up to the Board's listserv to receive timely information from the Marine Pilot Coordinator.

Board of Marine Pilots
FY 2022 Annual Report

Narrative Statement (continued)

Drug and Alcohol Monitoring - The pilot associations oversee the random drug and alcohol testing of licensed marine pilots, deputy marine pilots, trainees and apprentices. The associations are required to provide annual reports on drug testing to the Marine Pilot Coordinator and are subject to requests for information on their drug testing programs upon request of the Board or MPC.

Regulations - In FY 2022 the board proposed regulation amendments to update various regulations relating to equipment requirements and training requirements for foreign pleasure craft exemption applicants, Tokiak pick-up location, and renewal requirements for Marine Pilots and Deputy Marine Pilots.

Pending Issues - The COVID-19 pandemic effects are still being felt by the industry. In light of the lack of traffic during 2021, the board is amending regulations for certain renewal requirements that they anticipate being in effect no later than September 1, 2022.

The board has continued to permit the core examination and local knowledge examination to be administered by the pilot associations with a board member present and have held special meetings to accommodate oral interviews for Deputy Pilot Candidates. The board returned to in-person board meetings and exams at the March 8, 2022 board meeting.

Board of Marine Pilots
FY 2022 Annual Report

Budget Recommendations for FY 2022

Budget Recommendations section anticipates the board's fiscal priorities for the upcoming year. Please complete all parts of this section with details about anticipated meetings, conferences, memberships, supplies, equipment, to other board requests. Meeting expenses that are being funded through third-party reimbursement or direct booking must be identified separately from expenses paid through license fees (receipt-supported services or RSS). Be sure to explain any items listed as "other" so they may be tracked appropriately.

Board Meeting Date	Location	# Board	# Staff
July 7, 2022	Video Conference	6	1
<input type="checkbox"/> Airfare:			
<input type="checkbox"/> Hotel:			
<input type="checkbox"/> Ground:			
<input checked="" type="checkbox"/> Other:			\$ 300.00
Total Estimated Cost:			\$ 300.00

Board Meeting Date	Location	# Board	# Staff
October 2022	Seward	7	1
<input checked="" type="checkbox"/> Airfare:			\$ 4,800.00
<input checked="" type="checkbox"/> Hotel:			\$ 2,000.00
<input checked="" type="checkbox"/> Ground:			\$ 600.00
<input checked="" type="checkbox"/> Other:			\$ 1,000.00
Total Estimated Cost:			\$ 8,400.00

Board Meeting Date	Location	# Board	# Staff
April 2023	TBD	7	1
<input checked="" type="checkbox"/> Airfare:			\$ 4,800.00
<input checked="" type="checkbox"/> Hotel:			\$ 2,000.00
<input checked="" type="checkbox"/> Ground:			\$ 600.00
<input checked="" type="checkbox"/> Other:			\$ 1,000.00
Total Estimated Cost:			\$ 8,400.00

Board of Marine Pilots
FY 2022 Annual Report

Budget Recommendations for FY 2022 (continued)

Other Items with a Fiscal Impact

Not Applicable

Cost Per Event:

Number of Events:

Product or Service	Provider	Cost Per Event

Description of item and its role in supporting the mission of the Board:

Other Items with a Fiscal Impact

Not Applicable

Cost Per Event:

Number of Events:

Product or Service	Provider	Cost Per Event

Description of item and its role in supporting the mission of the Board:

Summary of FY 2022 Fiscal Requests

Board Meetings and Teleconferences:	\$17,100.00
Travel for Exams:	\$0.00
Out-of-State and Additional In-State Travel:	\$0.00
Dues, Memberships, Resources, Training:	\$0.00
Total Potential Third-Party Offsets:	- \$ 0.00
Other:	\$0.00
Total Requested:	\$17,100.00

Legislative Recommendations - Proposed Legislation for FY 2022

No Recommendations

The Board has no recommendations for proposed legislation at this time.

Recommendations

The Board has the following recommendations for proposed legislation:

Regulation Recommendations - Proposed Regulations for FY 2022

No Recommendations

The Board has no recommendations for proposed regulations at this time.

Recommendations

The Board has the following recommendations for proposed regulations:

The board has a current proposal to amend 12 AAC 56.080 by adding a new subsection (i).

Goals and Objectives

Part I

FY 2022's goals and objectives and how they were met:

1. The board will advocate for a return to in-person meetings as the State of Alaska reopens; they anticipate meeting in Juneau, Anchorage and perhaps Seward or Homer in the coming fiscal year. Meeting in alternative locations will enable the board to meet its public education requirement, allow the board to meet concerned citizens in their home cities and for the board to visit pilot training centers in those locations.

The board met in Juneau, March 8, 2022. The meeting was well attend both in person and via Zoom.

2. The board will continue to monitor challenges facing trainees as the industry re-opens opportunity for observers and at-the-conn training. At the time of this report the projected 2022 cruise season shows a schedule 20% busier than 2019 which was a very busy year.

The board received an industry update from CLIA at each board meeting and also recieved reports from each association. Two training extensions were granted at the March 8 meeting to trainees of the SEAPA training program for the required cruise ship maneuvers still needed to complete the training program with the understanding that the trainees would report back to the board if the training is not complete by the October 2022 meeting.

3. The board will move forward with regulations to clarify and streamline the application for Foreign Pleasure Craft Exemption applications. They will continue to review and vote on the exemption applications using electronic voting to expedite the process.

The board adopted regulations clarifying the requirements for equipment and training for exemption applicants. An on-line application is now available for applicants to apply and expedite the process; required documentation can be imported directly into the licensing application. Board members have reviewed and voted on applications electronically.

4. The board will receive reports from the pilot associations at the October 2021 meeting outlining the impact the reduced shipping (cruise and non-cruise traffic) due to the pandemic had on training and licensing requirements (new and renewal) in order for the board to address any possible regulation changes or special consideration that may be warranted.

The board is addressing the concerns of the associations and division regarding license renewal requirements with a proposed amendment to 12 AAC 56.080.

Goals and Objectives (continued)

Part II

FY 2023's goals and objectives, and proposed methods to achieve them.

Describe any strengths, weaknesses, opportunities, threats and required resources:

**Board of Marine Pilots
Fiscal Year 2021 Annual Report**

Sunset Audit Recommendations

Date of Last Legislative Audit: April 20, 2018

Board Sunset Date: June 30, 2027

Audit Recommendation:	The board should ensure applicable documents are aboard foreign pleasure crafts in accordance with regulatory requirements.
Action Taken:	The Marine Pilot Coordinator will ensure applicants for foreign pleasure craft exemptions report having all required documents on board prior to processing their applications. The department and board note that compliance enforcement will be limited to self-certification unless a complaint is filed.
Next Steps:	The Marine Pilot Coordinator (MPC) will work with vessel agents and yacht captains to ensure the documents are certified as on board prior to forwarding the applications to the board for a vote. The MPC will also ensure information and education continues with vessel agents and yacht captains on this important point.
Date Completed:	Ongoing

Audit Recommendation:	The board should ensure the Southeast Alaska Pilots' Association (SEAPA) improves its procedures for tracking drug test notifications.
Action Taken:	SEAPA has worked with the third-party contractor that performs its drug tests to ensure selected donors who were out of town when notified of random selection were adequately tracked.
Next Steps:	The board and Marine Pilot Coordinator will continue to monitor compliance.
Date Completed:	Ongoing

**BOARD OF MARINE PILOTS
7/7/2022**

**Executive Session - Deputy Pilot
Candidate Interviews**

**All public will be placed in waiting room
and re-admitted to video conference
after the interviews have ended.**

BOARD OF MARINE PILOTS
7/7/2022

Board action - Deputy Pilot Candidates